

SIXTEENTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, Friday, Sept. 29, 1871. }

Senate met pursuant to adjournment. President Campbell presiding. Roll called. No quorum present.

Absent—Senators Bowers, Broughton, Ford, Fountain, Latimer and Mills.

Absent, excused—Senators Bell, Hall and Pickett.

The Sergeant-at-Arms was dispatched for the absentees.

Senators Bowers, Ford, Latimer and Mills appeared and answered to their names.

Quorum present.

Prayer by the Rev. Mr. Dodge.

Pending the reading of the journal of yesterday, on motion of Senator Pyle, the further reading was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Saylor : a petition of the citizens of Milam, Burleson, Washington, Bastrop, Travis and Williamson counties, asking for the creation of a new county. Read and referred to the Committee on Counties and County Boundaries.

REPORTS OF STANDING COMMITTEES.

Report of Committee on General Land Office :

COMMITTEE ROOM,
AUSTIN, Sept. 29, 1871. }

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on General Land Office have carefully examined Senate bill No. 484, entitled "An act to provide for the examination and approval of bounty warrants," and instruct me to report it back with the recommendation that it do pass.

Respectfully,

THEO. HERTZBERG, Chairman.

Report read and laid over under the rules.

Report of Committee on Roads, Bridges and Ferries :

COMMITTEE ROOM, }
Austin, Sept. 29, 1871. }

Hon. DON CAMPBELL,

President of the Senate :

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred Senate bill No. 487, "An act to authorize S. A. Cook to erect and keep a toll bridge across Mineral Bayou in Grayson county," have had the same under careful consideration and instruct me to report the same back and recommend its passage.

Very respectfully,

J. G. BELL, Chairman,
By D. W. COLE.

Report read and laid over under the rules.

Report of Committee on Public Debt :

COMMITTEE ROOM, }
Austin, Sept. 27, 1871. }

Hon. DON CAMPBELL,

President of the Senate :

Sir: Your Committee on Public Debt, to whom was referred the report of the Auditorial Board and the message of the Governor relating thereto, as well as Senate bill No. 479, entitled "An act supplementary to 'an act to provide for the payment of the public debt of the State of Texas,' approved May 2, 1871," have had the same under careful consideration, and a majority thereof instruct me to report favorably upon said bill and respectfully recommend that it do pass.

E. PETTIT, Chairman.

Report read and laid over under the rules.

Reports of Judiciary Committee :

COMMITTEE ROOM, }
Austin, Sept. 29, 1871. }

Hon. DON CAMPBELL,

President of the Senate :

Sir: Your Committee on Judiciary, to whom was referred Senate bill No. 467, entitled "An act to affirm the titles to certain lands in Peters's Colony," instruct me to report the same back and recommend its passage.

Respectfully,

W. H. PARSONS, Chairman.

Report read and laid over under the rules.

Committee Room,
Austin, Sept. 29, 1871. }

Hon. DON CAMPBELL,

President of the Senate:

Sir: Your Committee on Judiciary, to whom was referred the petition of Lorenzo Castro and A. C. Fairman, instruct me to report the same back and recommend that it be not granted.

Respectfully,

W. H. PARSONS, Chairman.

Report read.

On motion of Senator Mills, the rules were suspended to consider the report, and on further motion the report was adopted.

Report of Committee on Contingent Expenses:

Committee Room,
Austin, Sept. 29, 1871. }

Hon. DON CAMPBELL,

President of the Senate:

Sir: Your Committee on Contingent Expenses, having had the enclosed account referred to them, respectfully report the same to the Senate, and recommend that the same be allowed and ordered paid.

Respectfully,

J. B. MILLS, Chairman.

The Senate of the State of Texas Dr. to Henry Mordecai—
For revising, copying and indexing the Calendar of the Senate, from June 1 to June 30 (30 days) @ \$8 per diem. \$240

On motion of Senator Pettit, the rules were suspended to consider the report, and on further motion the report was adopted and the account allowed and ordered paid.

Report of Committee on Engrossed Bills:

Committee Room,
Austin, Sept. 29, 1871. }

Hon. DON CAMPBELL,

President of the Senate:

Sir: Your Committee on Engrossed Bills, have examined and find to be correctly engrossed the following Senate bills, to wit: Senate bill No. 469, "An act to carry into effect section ten of article twelve of the Constitution, concerning a change of venue;" Senate bill No. 465, "An act to amend an act entitled 'an act to incorporate the Island City Real Estate and Homestead Association

of Galveston;" Senate bill No. 475, "An act to amend the third section of 'an act to incorporate the Carthage Branch Railway Company.'"

G. T. RUBY,
E. L. DOHONEY.

Report read and received.

Under direction of the President the Secretary carried to the House for concurrence Senate bills Nos. 469, 465 and 475.

BILLS AND RESOLUTIONS.

By Senator Gaines, a resolution as follows:

Resolved, That the office of State Printer be and the same is hereby declared vacant; and be it further

Resolved, That the Senate, and the House concurring, do proceed to fill the said office.

Senator Bowers offered the following amendment: "Amend by striking out all after the word 'vacant.'"

Yeas and nays called for and the amendment lost by the following vote:

Yeas—Bowers, Cole, Dohoney, Douglas, Evans, Gaines, Latimer, Pridgen, Pyle, Shannon—10.

Nays—Mr. President, Baker, Flanagan, Ford, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Rawson, Ruby, Saylor—12.

The question then being upon the adoption of the resolution, Senator Pettit called for a division of the question.

The President decided the question susceptible of division.

The yeas and nays were then taken upon the first portion of the resolution, which was lost by the following vote:

Yeas—Bowers, Cole, Dohoney, Douglas, Evans, Gaines, Latimer, Pridgen, Pyle, Rawson, Shannon—11.

Nays—Mr. President, Baker, Flanagan, Ford, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Ruby, Saylor—11.

Senator Broughton was excused from voting, having paired off with Senator Pendick.

Senator Gaines asked leave to withdraw the latter part of the resolution. There being no objection, leave was granted.

By Senator Baker: a bill (Senate bill No. 488) to be entitled "An act to enforce section three of article twelve of the Constitution." Read first time and referred to the Committee on Judiciary.

By Senator Ruby: a bill (Senate bill No. 489) to be entitled "An act to incorporate the Texas Live Stock Insurance Company." Read first time and referred to the Committee on State Affairs.

Under direction of the President the Secretary returned to the

House the following enrolled House bills, informing the House that the President had signed the same in open session :

House bill No. 371, "An act to incorporate the Navasota Hebrew Benevolent Society."

House bill No. 695, "An act to amend an act entitled 'an act to incorporate the city of Brenham, and to grant a new charter to said city, and to repeal all acts heretofore passed incorporating said city which may be in force by virtue of any existing charter,' approved May 6, 1871."

House bill No. 699, "An act to amend the third section of an act entitled 'an act to amend an act prescribing the times of holding the district courts in the several judicial districts in the State,' approved August 10, 1870, approved March 4, 1871."

House bill No. 719, "An act for the relief of Charles Garnet, deceased."

Also, returning House bill No. 709, "An act to amend an act entitled 'an act to incorporate the Bank of Cleburne,'" and informing the House that the Senate had passed the same without amendment.

Message from the House by the Chief Clerk, Mr. Gallant, informing the Senate that the House agrees to the Senate's amendments to House bill No. 405, "An act to amend 'an act prescribing the times of holding the district courts in the several judicial districts in the State,'" also, agreeing to the Senate's amendments to House bill No. 225, "An act to prohibit the sale of intoxicating liquors within certain limits of the High School of Edom, Van Zandt county, Texas."

Also, transmitting for concurrence the following House bills : House bill No. 707, "An act to incorporate the Southwestern Sleeping-Car Company;" House bill No. 777, "An act to amend 'an act to provide for districting the State of Texas into judicial districts,' approved July 2, 1870."

On motion of Senator Cole the rules were suspended to take from file Senate bill No. 468, "An act authorizing the County Court of Marion county to have certain records from other counties transcribed and recorded in said county." Read second time, ordered engrossed and passed to a third reading.

On motion of Senator Douglas the rules were further suspended and Senate bill No. 468 read third time and passed.

On motion of Senator Douglas the rules were suspended to take from file House bill No. 164, "An act to incorporate the town of Pittsburg, in Upshur county." Read second time and passed to a third reading.

On motion of Senator Pyle the rules were further suspended and House bill No. 164 read third time and passed.

On motion of Senator Baker the rules were suspended to take from file House bill No. 716, "An act to amend an act entitled 'an act to incorporate the San Antonio, Victoria, Indianola and New Orleans Express and Transportation Company,' approved May 19, 1871." Read first time and passed to a second reading.

On motion of Senator Flanagan the rules were further suspended and House bill No. 716 read second time and passed to a third reading.

On motion of Senator Baker the rules were further suspended and House bill No. 716 read third time and passed.

On motion of Senator Shannon the rules were suspended to take from file House bill No. 709, "An act to amend an act entitled 'an act to incorporate the Bank of Cleburne.'" Read first time and passed to a second reading.

On motion of Senator Flanagan the rules were further suspended and House bill No. 709 read second time and passed to a third reading.

[Senator Dohoney in the chair.]

On motion of Senator Shannon the rules were further suspended and House bill No. 709 read third time and passed and returned to the House.

On motion of Senator Flanagan the rules were suspended to take from file Senate bill No. 453, "An act to organize and incorporate the Paris and Bonham Tap of the Missouri Kansas and Texas Railroad." Read second time.

On motion of Senator Flanagan the amendments reported by the Committee on Internal Improvements were adopted.

Amendments to Senate bill No. 453 : " Amend by making section seven section six ; amend by making section eight section seven."

Senate bill No. 453 ordered engrossed and passed to a third reading.

On motion of Senator Ruby the rules were further suspended, Senate bill No. 453 was read third time and passed.

Senator Baker offered the following resolution :

Resolved, That when the Senate adjourns on Monday it adjourn until Friday next 10 o'clock A. M.

Yeas and nays called for and resolution lost by the following vote :

Yeas—Mr. President, Baker, Bowers, Cole, Flanagan, Latimer, Mills, Pridgen, Rawson, Ruby, Saylor—11.

Nays—Broughton, Dohoney, Douglas, Evans, Ford, Gaine-Hertzberg, Hillebrand, Parsons, Pettit, Pyle, Shannon—12.

Senator Cole offered the following resolution, which was adopted:

WHEREAS, The Sergeant-at-Arms remained at the State Capitol for ten days after the adjournment of the Legislature, on the thirty-first of May, 1871, and attended to the putting away and taking care of the papers of Senators, and also of the furniture of the Senate, and as he returned ten days before the convening of the Legislature, on the twelfth of September, 1871, and attended to the repairing and putting in readiness the Senate Chamber for the present session; therefore,

Resolved, That the Sergeant-at-Arms be allowed *per diem* pay for the ten days after the adjournment of the Legislature, on the thirty-first of May, 1871, and for the ten days before the convening of the Legislature, on the twelfth of September, 1871, and the Secretary is hereby instructed to issue his warrant on the treasury for payment of the same.

On motion of Senator Flanagan the Senate at 12 o'clock M. adjourned to 10:30 o'clock A. M. to-morrow.

SEVENTEENTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, Saturday Sept. 30, 1871. }

Senate met pursuant to adjournment. President Campbell presiding. Roll called. Quorum present.

Absent—Senators Broughton, Fountain, Ford and Tendick.

Absent, excused—Senators Bell, Hall and Pickett.

Prayer by the Chaplain.

Pending the reading of the journal of yesterday, on motion of Senator Gaines the further reading was dispensed with.

BILLS AND RESOLUTIONS.

By Senator Mills: a resolution (Senate joint resolution No. 43)

Authorizing the appointment of commissioners to run, mark out and fully define the county lines of San Jacinto county." Read first time.

On motion of Senator Mills the rules were suspended and the resolution read second time ordered engrossed and passed to a third reading.